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REMARKS

At the time the current Official Action was mailed, the Examiner rejected claims 1-23. By this paper, claim 18 is amended to correct typographical errors. No new matter has been added. As such, claims 1-23 remain pending and reconsideration of the application in view of the remarks set forth below is respectfully requested.

Rejections under 35. U.S.C. § 102

The Examiner rejected claims 1-23 under 35 U.S.C. § 102 as being anticipated by U.S. Pat. No. 7,116,782 to Jackson et al (herein after referred to as " the Jackson reference"). Applicants respectfully traverse this rejection.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under Section 102, a single reference must teach each and every element or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims recite even one element not found in the cited reference, the reference does not anticipate the claimed invention.

Independent claims 1 and 9

Independent claim 1 recites, *inter alia*, "A method of providing secure communication between a remote system and a remotely accessed system, comprising... storing *at the remotely accessed system* a reference hash in a section of non-volatile memory before receiving the signed hash." (Emphasis added). Independent claim 9 recites, *inter alia*, "A

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method of providing secure communication between systems, comprising...storing *at the remotely accessed system* a reference hash in a section of non-volatile memory before receiving the signed hash." (Emphasis added).

In sharp contrast, the Jackson reference does not disclose storing a reference hash at a remotely accessed system before receiving the signed hash. The Jackson reference discloses a method for verification of game code and, in accordance with the method, a data set is hashed and encrypted using a public/private key algorithm to generate a signature. *See* Jackson, Abstract; FIG. 3; col. 11, lines 13-22. "The data and the signature are then stored on a mass storage device 222." Jackson at col. 11, lines 20-22. When the data set is called, a verification process is initiated. *See id.* at col. 11, lines 23-47. The verification process includes two parallel paths, one for decrypting the signature and one for hashing the data before verification. *See id.* at FIG. 4; col. 11, line 40 through col. 12, line 22. The decrypted signature and the hashed data are compared to verify that the data has not been changed. *See id.* The entire verification process is carried out on the same system and a reference hash is never stored *at a remotely accessed system* before receiving the signed hash, as set forth in claims 1 and 9. Accordingly, for at least this reason, the Jackson reference cannot support a Section 102 rejection of claims 1 and 9 and Applicants respectfully request withdrawal of the rejection of claim 1 and 9 as well as the rejection of all claims depending therefrom.

Furthermore, claim 9 additionally recites, *inter alia*, "creating a nonce at the remotely accessed system; delivering the nonce to the remote system...encrypting at the remote system the first hash along with the nonce to form a signed hash." The Jackson reference, however, does not even mention a nonce, let alone creating, delivering and encrypting the nonce as recited in claim 9. As such, for at least this additional reason, Applicants respectfully request

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withdrawal of the rejection of claim 9, along with the rejection of all claims depending therefrom.

Independent claim 18

Independent claim 18 recites, *inter alia*, "A system comprising: a first computer system, the first computer system comprising a first program for hashing information; a request being generated from information received by the first computer system and hashed by the first program...a second computer system...adapted to receive the request from the first computer system, wherein the *second* computer system comprises...a first section of memory...the first section of memory *storing a file that is a hash*; and a second section of memory being configured to store a validation program...the validation program having a validation routine configured to validate the file stored in the first section of memory against the received request." (Emphasis added).

In sharp contrast, the Jackson reference does not disclose a second computer system storing a file that is a hash. Indeed, as discussed above, the Jackson reference discloses a single system carrying out the verification process by storing the data to be verified together with the signature and, subsequently, decrypting the signature and hashing the data for comparison. *See* Jackson, FIGS. 3 and 4; col. 11, line 13 through col. 12, line 22. As such, the Jackson reference does not disclose all the elements of claim 18 and, therefore, cannot anticipate claim 18 under Section 102. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 18 and all claims depending therefrom.

Additionally, the Jackson reference fails to disclose a request being generated from information received by the first computer system hashed by a first program, as set forth in

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claim 18. The Jackson reference never discusses anything with regard to generating a request by hashing information received at a first computer. Furthermore, the Jackson reference fails to disclose a second computer system adapted to receive the request, the second computer system comprising a first section memory storing a file that is hash and a second section of memory being configured to store a validation program, as recited in claim 18. As such, for these additional reasons, Applicants respectfully request withdrawal of the rejection of claim 18 and all claims depending therefrom.

In view of the foregoing remarks, Applicants respectfully assert that the Jackson reference does not disclose all the elements of claims 1, 9, and 18 and, therefore, cannot anticipate the claims under Section 102. Accordingly, Applicants respectfully request the withdrawal of the rejection and allowance of claims 1, 9, and 18, as well as all claims depending therefrom.

Conclusion

In view of the remarks set forth above, Applicants respectfully request reconsideration of the

Examiner's rejections and allowance of all pending claims. If the Examiner believes that a

telephonic interview will help speed this application toward issuance, the Examiner is invited to

contact the undersigned at the telephone number listed below.

General Authorization for Extensions of Time

In accordance with 37 C.F.R. § 1.136, Applicants hereby provide a general

authorization to treat this and any future reply requiring an extension of time as incorporating

a request therefor. Furthermore, Applicants authorize the Commissioner to charge the

appropriate fee for any extension of time to Deposit Account No. 08-2025; Order No.

COMP:0269/FLE.

Respectfully submitted,

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